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# Daily Racing Form

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CHICAGO, THURSDAY, APRIL 4, 1912.

PRICE 5 CENTS

## PURSES TO SECOND CHOICES

MAGAZINE IS ONLY FAVORITE TO SCORE AT PALMETTO PARK.

Layers of Odds Have Disastrous Experience, as Winners Are Well Supported—Guy Fisher Overcomes Interference and Wins Handicap.

Charleston, S. C., April 3.—It was a field day for the backers of second choices at Palmetto Park, five of them taking purses. Magazine was the outstanding favorite to score. The day's results entailed heavy losses for the bookmakers and it was lucky for them that the volume of speculation throughout the day was somewhat light. Small fields again ruled, the rain of last night causing many owners to assume that the track would be in bad condition for racing this afternoon, but the contrary proved the case. Some of the finishes were spirited and the sport was greatly enjoyed by the spectators. The attendance was only of fair proportions.

The handicap at one mile and an eighth resulted in a hard fought contest, in which Guy Fisher scored after a long sustained stretch drive to wear down G. M. Miller. The winner's performance was exceptionally meritorious, for he was subjected to much interference from Bob R. throughout the running. Bob R. was coupled in the betting with Colonel Holloway as the favorite. The favorite and jockey Peak kept Bob R. close to Guy Fisher most of the way and forced the latter wide at every opportunity. Guy Fisher managed to get away from interference when it came to the stretch drive and in a game effort headed G. M. Miller in the last few strides. Colonel Holloway's effort in the race was in the nature of a try-out for his Derby start, and his showing was only ordinary.

The Joplin-Hyams combination pulled off a "good thing" with Parkview in the fifth race. They backed her from a high quotation of 3 to 1 almost into favoritism. She won as her rider pleased.

Magazine continued in his winning form and won as his rider elected. His presence in the race was responsible for a wholesale withdrawal of others that had been entered.

Nick Akin's showing in the opening race was a disappointment to many. He receded in the betting and Rutwell rode him in a manner that did not arouse enthusiasm.

The winners of all but one of the selling races this afternoon were bid up and two of them changed hands. Van Deren, which beat a band of ordinary two-year-olds in the first race, was bid up from \$500 to \$700 by R. D. Williams and sold to J. L. Holland. Magazine was run up \$400 over his entered price of \$700 and bought by P. M. Walker. Wander was run up \$205 by S. A. Clifton, but was retained by his owner for \$505. Parkview was also bid up \$200 and was also retained. T. J. Shaw was responsible for the last run-up. Two claims were put in for Love Hatches after he was beaten and in the Crawford H. Pink the horse for \$580.

The stallion Raleigh P. D. has been presented by the Charleston Fair and Racing Association to W. Bultman of Sumter, S. C., for breeding purposes.

Jockey C. Gordon has secured an engagement abroad. He will ride the horses that C. E. Durnell is training for the King of Roumania. William C. Cahill, who is training a string here for Barney Schreller, secured the engagement for Gordon and the latter will leave here tomorrow and will sail from New York next.

A protestant by William Hurley against Dipper, which finished second in the fifth race on March 28, on the ground that she did not carry her correct weight, was allowed by the stewards. A five-pound allowance was claimed for Dipper, to which she was not entitled. The disqualification of Dipper gives second money to Ray of Pleasure and Brousseau gets third.

J. G. Wagon purchased of C. Woodford at private sale the gelding V. Powers.

The bill passed by the Maryland Legislature to regulate racing in Anne Arundel county provides that meetings shall not exceed thirty days in length, but imposes no restrictions as to the number of meetings that may be held each year.

The Palmetto Derby, which will be decided the coming Saturday, will wind up the stake program of the Palmetto Park meeting. This is a race for three-year-olds, distance one mile and a quarter, value \$3,000, of which \$500 goes to the second horse and \$250 to the third. Its list of eligibles is made up as follows:

T. Adair's Tom King.  
W. P. Austin's Walter Scott.  
R. F. Carman's Sherlock Holmes.  
C. J. Casey's Cracker Box.  
W. A. Massey's Jawbone.  
E. F. Condra's Cracker Boy.  
E. R. Condra's Flamma.  
M. Daly's Chocoma.  
R. Davies' Knights Differ.  
H. E. Davis' Jim Ray.  
L. P. DeRoche's Jack Ellis, Tommie Thompson and Ursula Emma.  
M. Foley's Congressman James.  
Gallagher Bros.' Duval.  
W. Gerst's Working Lad.  
A. G. Blakeley's Brousseau.  
J. W. Hedrick's Mad River and Lewis.  
F. Johnson's Light O' My Life.  
J. O. Keene's Bonnie Chance.  
W. Martin's The Rump.  
T. C. McDowell's The Manager.  
G. B. Moreland's Terrible Dan.  
R. P. Kyle's Jenny Geddes.  
M. Earle's Coming Coon.  
E. C. Nunn's Lynne and Morgan Wilson.  
W. C. Overton's Merry Beau.  
F. Regan's Lady McGee.  
J. Robertson's Stedell.  
F. P. Robie's Stairs.  
Tennessee Stable's Commoner's Touch, Gagnant, Gandore, Jim Milton and Pliant.  
J. S. Tye's Astrologer.  
P. M. Walker's Bard of Hope.  
J. Walsh's Chuckham.  
W. C. Weaver's Lady Lightning.  
W. C. Weaver's Gay Bird.  
C. Woodford's Sonoda.  
W. J. Young's Manager Mack.  
Beverly Stable's Colonel Holloway.  
L. Le Rond's Cher Up.

The "dogs" were up at Palmetto Park this morning and a few of the trainers worked their horses fast. Some of the best moves of the morning were:

Acrite—Three-quarters in 1:24.  
Babbler—Five-eighths in 1:08.  
Camellia—Five-eighths in 1:06.  
Colonel Brown—Mile in 1:49.  
Force—Five-eighths in 1:08.  
Harlem Lass—Half mile in 50 1/2.  
Michael Angelo—Mile in 1:53 1/2.  
My Gal—Three-quarters in 1:19 1/2.  
Nadu—Three-quarters in 1:21 1/2.  
Ozama—Five-eighths in 1:04 1/2.  
R. H. Gray—Half mile in 54.  
Sherlock Holmes—Three-quarters in 1:20 1/2.  
Sir Alivescot—Three-quarters in 1:24.  
Spellbound—Three-quarters in 1:19 1/2.  
Swart's Hill—Mile in 1:52.  
Wood Dove—Five-eighths in 1:06 1/2.

## AN ELABORATE REVIEW OF THE PRECEDENTS OF RACING

W. S. Vosburgh, handicapper for the Jockey Club, has recently contributed to the racing literature of the day an interesting discussion of the Rules of Racing, brimful of information as to the origin of various rules, and replete with thoughtful comment. Daily Racing Form is sure that its readers will appreciate its perusal and herewith reproduces it from the Thoroughbred Record, as follows:

"Precedent embodies a principle," observed the late Lord Beaconsfield. The laws of the land are construed with due regard for precedent. Indeed, no member of the bar or bench will venture to give his own construction of a statute, without citing liberally from the precedents bearing upon the case. It is thus that the common law has become largely a matter of precedents, into which both parties to a controversy can look, and both can generally find what they seek.

Historians inform us that when King George III. of England was attacked by the malady which rendered him incapable of performing his regal functions, the most distinguished lawyers and politicians differed widely as to the course to be pursued; the House of Parliament would not proceed to discuss any plan of regency until all the precedents from the earliest times had been collected and arranged. Thus, matters of law, whether of state or racing, cannot always be decided by opinion. A decent regard must be had for authority, for, if we reject authority, we reject experience.

Racing law can hardly be said to have been formulated into a written code, with the formation of the Jockey Club in England. A few elementary rules were framed, but for the most part "resolutions" of the Jockey Club governed. The absence of a formal code covering all points led to many disputes, and gave the stewards of the Jockey Club no end of annoyance in settling them. But the constant appearance of these disputes and the framing of rules to prevent their recurrence, gradually built the Rules of Racing, upon which those of nearly every country in the world are modeled.

It was not until 1857 that the Rules of Racing, as we now have them, were framed, when for the first time all reference to betting was eliminated. In 1886, the first code drawn by a legal hand was formulated, the work largely of Sir Henry Hawkins. In 1892 Captain (since Admiral) Rous published a book on racing, in which he gave many important decisions in racing cases. With this exception, there has been no attempt made to present a digest of the laws and customs of racing, with the interpretation of racing rules, by the different authorities.

In presenting this, it has been my purpose to embody all the adjudged cases of racing law, of which I had any record. While I have, in some instances, given my own opinion of the cases, I have been careful to state the spirit of the unaided advocate, but have presented both decisions on similar cases, when they were in conflict. It should be borne in mind that the decisions are supposed to be governed by the code of rules in use at the time they were rendered; and, as the rules are revised from year to year, decisions proper at one period were not so at another.

**The Management of Racing.**  
In the government and management of racing, rapid strides have been made in recent years, though few seem to realize it. Twenty years ago each racing club was a law unto itself, constraining rules as suited itself, and courtesy was the only obligation binding upon such a club. Each other's edicts. The formation of the Board of Control in 1891, was the first step in the creation of a governing body, but it was little more than a federation of racing clubs, and was followed in 1894 by the organization of the Jockey Club, in which the interests of the owners of horses were more fully represented.

Compared with the present, the management of race meetings in the past was crude. The stewards acted in the additional capacity of judges at the finish. They were often gentlemen of reputation in the social and business world, but too often untrained in the rules, unfamiliar with racing customs, while their lack of practice unfitted them for deciding close finishes. The starters were either amateurs with little practice, or professionals whose tenure of office was short; the frequent changes began confusion, and delays at the post often brought the close of a day's racing into twilight. The duties of handicapper were performed by some gentleman, a member of the club, or the secretary himself. He also acted as clerk of the course, while the timing was done by such owners as happened to be present, and who would consent to act.

Nowadays, all these are highly specialized departments—"a racing cabinet"—filled by men who devote themselves to the duties pertaining to each department. The exception is the stewards, of which the times have developed a number of gentlemen, who have the time and inclination to serve—something which could not be secured in the early days.

**The Stewards.**  
The separation of the stewards from the duties of placing judges, was a long step forward, as they are not only dissimilar, but they conflict. The function of a judge is to place the horses at the finish, that of the steward to watch every horse in the race from start to finish; hence to ask them to place horses, distracts their attention from their special duties. As now constituted, the stewards are three—one appointed by the Jockey Club, one by the club holding the meeting and the third a member of the Jockey Club, thus giving the governing body control. The powers vested in the stewards are vast—they have full power and control over the racing and all persons concerned. Their judgment is final, except so far as relates to the interpretation of the rules, in which case appeal may be made to the stewards of the Jockey Club.

The stewards have power to change the conditions of a race which has not closed. This has been denied, but it is perfectly clear according to the 14th Rule of Racing. Their powers end with the meeting; thus persons disciplined by them in the form of suspension, are free to ride or train or start at a meeting following. Hence, in flagrant cases the stewards refer a case to the stewards of the Jockey Club for further action. It is not requisite to the validity of their decision that the stewards should be unanimous, the majority ruling. This has been decided by a court of law (Parr vs. Winttingham, 1; Ellis and Blackburn, 304). Nor is it an objection to a decision of the stewards that one of them had an interest in the race by betting. This has also been decided (Ellis vs. Hopper, 4; Hurlstone and Norman 765).

**Handicapper.**  
Handicaps become a necessity when horses and owners of horses become numerous and races at scale weights become impossible. Accordingly, races are arranged based on the merits of the horses by means of weight—handicaps. They save clerks of the course the trouble of thinking of framing conditions. They are scientific races in that the art of man is employed to equalize the chances of the horses engaged. It has been urged that they reduce the value of a good horse, but it can with more justice be said in reply that they increase the value of a hundred not so good—they render it profitable to keep in training hundreds of horses that could not win otherwise. This means more owners, more horses, more races, more breeders, better prices for yearlings and developed horses; more employment

for trainers, jockeys and stable hands. So much from the standpoint of racing economy. From the standpoint of "improving the breed," handicaps afford the only conclusive test of how much superior the best horse of the year is to other horses. In short, they are the backbone of racing, they produce the best balanced fields, the best contests and excite most interest. Racing has long since outgrown weight-for-age races, and clubs dislike the risk of offering many of them.

The position of handicapper is the first one mentioned in the "Rules of Racing." He has become an important official in "the racing cabinet," for no other post requires more racing knowledge and experience. Unlike other officials, whose work ends with the day's racing, his work compels him to watch races through the day and spending the best part of each night framing his allotments. As the work is enormous, he must possess a capacity for work; he must be purely judicial in temperament, or become so by habit; he must know neither friends nor foes, nor must he credit much that he hears. He must expect to hear that some horse has been "crushed," or, after a lightweight has won, it is suddenly discovered that it was "thrown in"—all this he must hear with composure and repression.

In dealing with the handicapper, I cannot do better than to quote Admiral Rous, England's first great handicapper, who, writing on the subject, observes:

**Admiral Rous on Handicapping.**  
"On the subject of handicapping, there is nothing so easy as to find fault. In every handicap there may be five reasons why A. should give B. 7 lbs., according to public running; and as many arguments on the same ground in favor of B. giving A. weight. Of every one hundred horses named for a handicap at two miles, at least one-half cannot run that distance in good company and one-third of them can barely stay a mile. Still, there is an understanding that every horse in a handicap, with the humblest pretensions to a racing form, have all as good a chance as the best horse. It is on a pure republican principle—the sovereignty of weight shall level all distinctions of worth—a charming ideal, but pure fiction, like all other doctrines of equality; because no reasonable difference of weight can bring a bad horse on a par with a race horse.

A public handicapper should be a man of independent circumstances, every second and beyond suspicion of accepting illicit compensation for favors. Attached to no stable, a good judge of condition of the course, but with a more intimate knowledge of the dispositions of owners and trainers, he should never make a bet, and he should treat all remarks which may be made about his handicaps with the utmost indifference. As to the handicapper signing his name, most honorable gentlemen may object to be set up as the mark of every scribbler; his handwriting may be unwarrantably attacked, but he is protected from defending himself.

"It is his duty to put heavy weights on horses which he has good reason to suspect have not been run on the square, or which have been kept in backward condition. There is nothing so fallacious as the public running of a horse. These are my reasons for stating that no handicapper should be called upon to explain. In trying to prevent a robbery he may be unjust—individuals must suffer for the public good. As far as regards the system of handicapping, it must always be imperfect, because it is the object of many interested persons to deceive the handicapper."

**The Starter.**  
Within the past thirty years we have witnessed several changes in the method of starting. The old American plan of starting by the beat of a drum was succeeded by the English system of the flag, and it by the Australian starting gate. While many were disposed to question the safety of the gate, it has been clearly demonstrated that the time spent in false starts, under the old system, in which the energies of many horses were wasted before the race began. The saving is enormous, compared with the old system, when often a half hour or more was spent in fruitless efforts.

A radical change was made in the revision of the rules of 1898, by which the power to fine and suspend jockeys was taken from the stewards, in whose hands it had reposed (and still does in other countries) and vested in the starter. It is a question if the change is for the better. The starter, at best, has a vexatious task, trying upon his patience beyond the limit of ordinary endurance, hence he is seldom able to approach in a judicial spirit, a case calling for disciplinary action. Moreover, he is brought too closely in contact with the jockeys, to exercise the moral influence necessary or to punish them without causing strained relations and ill feeling, which is opposed to the success of his efforts. In the heat of the moment, he is apt to impose penalties out of proportion to the gravity of the offense. This could not happen if it were his duty to report such cases to the stewards; for, meanwhile, he would have time to reflect, while the stewards, having no personal grievance in the case, would be more likely to deal with it in a judicial spirit.

**The Judge.**  
The position of judge at the finish is one requiring considerable training. It is common to hear people say that it "calls for no special talent" and that little labor is involved. There is no great labor, but there is tension. There is also necessary a very quick eye, acting with the memory to place the horses when they finish close together. The familiarity with racing colors is necessary also. These qualifications cannot be had without practice. The use of numbers on the jockey's arm, and on the saddle cloth, have been added to aid identification, but many of our best judges do not depend upon them, as it often happens that they cannot be seen on the inside horse when one or more other horses finish on a level with him.

I have often thought at some of our race courses the judges' box was placed too low—being almost on a level with the ground. It certainly is too close, for any one who has attempted to place horses, will agree, the further away (within reason) you are from the horses, the easier it is to place a finish—the turf course at Sheephead Bay, compared with the regular course, being a case in point. The judges' box might be kept more secure from intrusion. But it is the judges' need all the time between races to memorize the card for the succeeding race, without interruptions to distract their attention.

The importance of a correct placing of horses at the finish is apparent, the more so when we consider the power vested in the judge. It is the theory of racing law that in placing horses the decision of the judge is final, except, of course, in the case of objection to a placed horse is made and sustained on other grounds. But so far as relates to placing, the judge is supreme; his authority unquestioned. This is an adjudged case (see objection to judge's decision after race for Cumberland Plate, Carlisle, 1888). However, if the judge is satisfied of his error, he can only reverse his decision with the consent of the stewards, as in the placing for the Epsom Derby of 1859.

Another point which seems generally misunderstood is that the judge can place as many horses as he thinks proper. By common custom, three horses are placed; but there is no rule compelling him to place a given number. He can place four

(Continued on third page.)

## HORSES WORK IN THE MUD

TRAINERS DISREGARD UNFAVORABLE CONDITIONS AT LOUISVILLE TRACKS.

No Fast Work Attempted, but Almost Every Horse Is Out—Churchill Downs Stake Dates Not Yet Arranged, Except for Derby.

Louisville, Ky., April 3.—Although slushy going prevailed today at Churchill Downs and the Douglas Park track was in none too good condition, practically all of the horses quartered at both courses were given trials. Those attracting the greatest attention were The Manager, a Derby eligible; Hawthorn, the noted Bourbon Beau, and the Henderson & Hogan three-year-old Cockspar. Hawthorn was galloped slowly for two miles. Bourbon Beau was sent the same distance, led by a halter, as his trainer is at present handling the son of Star Shot without a rider. There was no fast work. The best quarter was in :27 at the Downs. At Douglas Park T. P. Hayes worked a maiden three-year-old a mile in close to 1:50.

The horses that O. A. Bianchi brought here from Charleston were Star O'Ryan, Tay Pay, Bay Cliff and Homeland. The latter is a two-year-old colt by Bearcatcher that started only once at the South Carolina track. These additions make the Bianchi and MacManus string now here number thirteen horses and, with Golden Agnes and Rocky O'Brien, which will come from Lexington in a few days, the stable will be fifteen strong. The last named two have been quartered during the past winter at E. R. Bradley's Idle Hour Farm. The other members of the string are the Derby candidate Presumption, George Oxtard, Jim Gaffney, La Cazevara, Macdonough, Wentworth, Turret and an unnamed two-year-old half-sister to Sir Wilfred. Mr. Bianchi had concluded not to race Jim Gaffney any more and will endeavor within the next week or two to find a place in the stud for him in Kentucky. This horse is a son of Miss Emma, the sire of Follie Levy, a brother to Golden Maxim, the sire of Follie Levy, and Presumption. Wentworth, in this string, also will not race on the Kentucky tracks. He belongs to the California turfman, Joseph Schreiber, and will be sent to the Coeur d'Alene track in Idaho to be trained by John Lowe. Wentworth is a half-brother to Mr. Schreiber's good four-year-old Jim Baisey.

Two two-year-old fillies shipped here by J. C. Ferriss from Juarez will be sent to J. Condra at Norfolk, Va., to race at the Jamestown Jockey Club's meeting. They were bred at W. D. Jennings' ranch in California. Both are by the noted son of Ben Brush, Von Tromp. One is called Little Trump, the other Miss Trump. The latter is out of the noted race mare Delagoa, and Little Trump is out of Tiddlington. The Condra stable is now at Norfolk and this accounts for the shipment of the fillies away from the Downs.

J. H. Mead has taken up Marian Casey, which has been turned out near here since last summer. She is in good training trim and Mr. Mead expects her to race well this spring and the coming summer.

Tom Brown, one of the Juarez racing officials, who will serve in a similar capacity on all of the Kentucky tracks, reached here today from Mexico and will remain until the morning when he departs for Lexington. With Brown came the lightweight jockey George Wingfield, who will ride on the Kentucky circuit.

R. J. Powers has arrived here from Mexico with W. H. Ford and Coppertown. W. D. Padrick, H. H. Roff and Eva Padwick. They are at the Downs and the sprinter, Griffin II, came in the same consignment. He still belongs to D. C. Cottle.

Horsemen have generally remarked on the grand appearance of Henderson & Hogan's four-year-old filly, Winning Widow. She outlooks any mare in training here and it is predicted that she will be hard to beat when the spring meeting opens here on Saturday, May 11. Trainer Henderson has been giving her a rest.

The arrangement of stake dates for the forthcoming meeting of the New Louisville Jockey Club at Churchill Downs will not be made by Secretary Lyman H. Davis until after a consultation with Manager M. J. Winn when the latter returns from his present trip to New York. Of course, the Derby will be run on the opening day, Saturday, May 11, and the supposition is that the other stake days will be, as usual, Tuesdays, Thursdays and Saturdays. There are, all told, ten stakes to be run during the fifteen-days meeting.

J. W. May has written here that he has concluded meeting of the Louisville Jockey Club at Churchill Downs will not be made by Secretary Lyman H. Davis until after a consultation with Manager M. J. Winn when the latter returns from his present trip to New York. Of course, the Derby will be run on the opening day, Saturday, May 11, and the supposition is that the other stake days will be, as usual, Tuesdays, Thursdays and Saturdays. There are, all told, ten stakes to be run during the fifteen-days meeting.

El Toro, Brave, Fighting Hope and Colonel Hogan, the four horses Henderson & Hogan wintered at the Keeneland Farm near Lexington, reached here in fairly good condition with the exception of Colonel Hogan, which is here in poor condition and trainer Miller Henderson fears he may not be able to race any before late in the summer and perhaps not until fall. The other horses this stable has just taken up, the three-year-olds Absurd and Snap, wintered in this county at the McKay farm. They look well. H. H. Selby thinks he has a royal chance to win the Kentucky Oaks this year with his smart filly, Sister Florence. He did not race the daughter of Ornament last winter, resting her at Lexington during the cold weather. Mr. Selby thinks well of his colt, King Stalwart, which he ran several times unsuccessfully at Juarez the past winter. He believes this youngster will like the soft tracks of Kentucky much better than he did the going at Juarez and as a consequence he is giving him a careful preparation for his engagement in the Breeders' Futurity. King Stalwart is one of the most richly bred colts in that big race, his dam, Veracious, being a half-sister to J. R. Keene's great horse, Delhi. Mr. Selby entered King Stalwart in several two-year-old stakes at the Downs.

This season three performers of that sex are being prepared for the big race. They are Flamma, by Hastings; Winning Witch, by Broomstick, and Ursula Emma, by the same sire. All were good winners last season and all of them are also engaged in the Kentucky Oaks.

## LEGISLATION BENEFITS TWO TRACKS.

Annapolis, Md., April 3.—Among the bills which passed through the Maryland Legislature during the closing hours of the session was one which legalizes horse racing in Anne Arundel county, in which Annapolis is situated, under the supervision of a commission, as provided by the recently passed racing bill for Baltimore county.

The chief interest in the bill lies in the fact that the Laurel fair grounds are partially in Anne Arundel county and partially within Prince George county and the track will probably be arranged so as to be wholly within the former county. Laurel is situated about half way between Baltimore and Washington. The Marlboro track is also in Anne Arundel county and will come under the control of the commission.



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CHICAGO, ILLINOIS, APRIL 4, 1912.

## CHARTS OF MONTHLY RACING.

The Monthly Racing Form, containing  
charts of all races run on recognized tracks  
in the United States and Mexico during the  
month of March, is now on sale at Daily  
Racing Form office, 441 Plymouth Court,  
Chicago, Ill. Price \$1.00. Single copies by  
mail must be sent registered mail with  
extra charge of ten cents for registra-  
tion. Not responsible for books sent as  
regular mail.

## TELEGRAPHIC FORM.

The horses which seem best in Thursday's races  
are:Palmetto Park—Charleston, S. C., April 3.  
1—Auto Run, Frank Hudson, Clinton.  
2—Country Boy, Cliff Top, Andrajos.  
3—Gay Bird, James Dockery, Republican.  
4—John Furlong, Console, Nadzu.  
5—Dominica, Anna L. Daley, Top Note.  
6—Miss Jonah, El Oro, Stare.

T. K. Lynch.

## NOTES OF THE TURF.

W. K. Vanderbilt's Highly won the Prix Simonian  
and Thomas P. Thorne's Monsieur Guerin the Prix  
de Mareil at Saint Cloud in France, yesterday.American-owned horses made a splendid showing  
at Saint Cloud in France Tuesday, winning one race  
and capturing two second places and two thirds.  
The race won was the Prix de Tessancourt of 3,000  
francs, distance 2,000 meters. W. K. Vanderbilt's  
Satyrus galloped home the winner with jockey  
O'Neill up. The betting was 31 to 20. In the Prix  
de Bally, also owned by Mr. Vanderbilt, finished  
third. Jockey O'Neill was again up on Mr. Vander-  
bilt's horse. Gros Jean, owned by Thomas Thorne,  
took third in the Prix des Villars, 5,000 francs, dis-  
tance 2,400 meters. In the Prix des Tournaches,  
3,000 francs, distance 1,400 meters, M. Pfizer's  
Hiawatha was second. Reiff was up on Pfizer's  
horse. Mr. Vanderbilt took a second in the Prix des  
Aliees of 5,000 francs, 2,000 meters, with Iowa.  
Jockey O'Neill again rode.

## SUE FOR DEATH OF SARABAND.

Lexington, Ky., April 3.—Alleging that the death  
of the race mare, Saraband, was due to pneumonia  
contracted because of a leaking car in which she was  
transported from Jacksonville to Lexington on  
April 3 of last year, Mode Nicoll and R. E. Wilson  
today filed suit here against the Arms Palace Horse  
Car Company for \$5,000.

## RACING DATES FOR 1912.

Charleston Fair and Racing Association, Charle-  
ston, S. C.:  
January 24 to April 20 (76 days).  
Jamestown Jockey Club, Norfolk, Va.:  
April 8 to April 27 (18 days).  
Kentucky Association, Lexington, Ky.:  
April 27 to May 9 (11 days).  
Coeur d'Alene Fair and Racing Association, Alan,  
Idaho:  
April 27 to June 29 (55 days).  
New Louisville Jockey Club, Louisville, Ky.:  
May 11 to May 28 (18 days).

## IMPRESSIONS OF RACING IN INDIA.

England's crack rider, Frank Wootton, spent last  
winter in India riding in the service of a prominent  
turfman of that sun-scorched land and on his return  
recently was interviewed by a much-interviewed person,  
in which line Sporting Life is interested.  
"As we say of a horse, Wootton has furnished  
and fined down since we last saw him, and is now  
the acme of fitness. In reply to a question put to  
him as to his weight, he avers that he will be able to  
go to scale at 119 pounds within a month of the pre-  
sent date. 'As I stand up with all my clothes on I do  
not turn the beam at 126 pounds,' he added. 'This  
in itself will be good news for those owners who  
have retainers upon him for the season we are  
about to embark upon—always with the proviso of  
'strike permitting.' Next to his own Epsom stable,  
sheltering, as it does, one of the Derby favorites,  
Wootton will ride for Mr. Jack Joel.  
"In all he was not in the saddle more than ten  
weeks last year, made up of six weeks at Calcutta,  
three weeks at Bombay, and ten days at Lucknow;  
and during that period he identified himself with  
some seventeen winners in less than sixty mounts.  
Ever a modest lad, we failed to draw Frank as to  
any of his riding feats, for he switched off from  
himself to Whalley, who, he stated, 'did equally as  
well, if not better than himself. Saxby, Templeman,  
Jelliss and Bowley all rode with success, but without  
my chances,' said Wootton.  
"The courses at the three meetings mentioned  
above take much after our Chester course, in the  
opinion of Wootton. They are oval in shape, and not  
at all awkward for riding round all sorts of obsta-  
cles. There may be no great spriters, yet Hop-  
per, an own brother to Romney, well managed to  
hold his own, and captures plenty of races. Chob-  
ham, once in a Newmarket stable, not only won, but  
has proved himself a very profitable investment to  
his owner.  
"Both these horses are geldings, 'which,' says  
Wootton, 'strike me as the right kind of animals for  
India. They are not so much affected by the heat,  
and race far kinder than entire horses, who  
quickly get heavy of top.'  
"The best horse the most popular he threw a  
leg across during the ten weeks he was out there  
was Tangara, which raced in England in 1910,  
being a good third to Halcyon and Edward in the  
Greenwood Handicap at Kempton. This horse, the  
property of Mr. Galstun, won five races out of the  
seven he started for, carrying all sorts of weights.  
In one of his two failures he was beaten by Victor,  
to whom he conceded more than twenty-eight pounds.  
The latter was once the property of Mr. Robson, of  
Wantage.  
"Not only was Tangara a nailing good horse,  
but quite an idol with the natives, who at Calcu-  
ta lined the rails and cheered Wootton to the  
echo when going to the post. Tangara returns to  
England shortly, when Wootton is likely to renew  
acquaintance with him.  
"In his travels Wootton came across what he  
termed some very 'jolly fellows,' and struck up many  
friendships. A charming native gentleman was a  
M. Abdurrahman Bin Aziz Ebrahim of Chowpatty,  
for whom he rode Grand Duke, an Arab, carrying  
and winning under record weight, 146 pounds, for  
a horse of that breed. By the way, this gentle-  
man has made Wootton a present of an Arab pony,  
a gift that the Epsom horseman prizes as much as  
any of the large number of trophies that he has  
brought back with him. In fact, such a home-  
coming was there on Sunday last that, according to  
his father, a pantechnicon van was required to land  
them all.  
"Perhaps the person that made the most lasting  
impression upon Frank Wootton was Mr. Dean, of  
Lucknow, who simultaneously holds the quadruple  
office of clerk of the course, secretary, clerk of the  
scales and starter, for that meeting, truly, a most  
industrious man. The standard of horsemanship is  
quite good in India. In Wootton's opinion colored  
jockeys are going out of fashion, and such capable  
riders as Brown, Ferguson and Evans, the latter an  
English jockey that rode his last season in the  
races when that horse was a three-year-old, are  
doing well. Colin Barrett, now returned to England,  
also had a very good season."

## WORK-OUTS OF CHARLESTON HORSES.

Charleston, S. C., April 3.—Recent work-outs of  
horses in training at Palmetto Park were as follows:  
Weather clear; track fast.  
Amoret—Three-quarters in 1:21. Has been on the  
slow side for some time.  
Appassionata—Half mile in 52 1/2. Has plenty of  
speed and is close to good form.  
Arany—Five-eighths in 1:05. Has been coming  
around to form fast.  
Black Friar—Three-quarters in 1:19 1/2. Coming  
around to form fast.  
Bob R.—Five-eighths in 1:05. Was working under  
a stiff pull.  
Carroll—Three-quarters in 1:19. Works well when  
ever set down and has plenty of speed.  
Chester Krum—Seven-eighths in 1:35. Has been  
going along slowly in his work.  
Choceona—Half mile in 52 1/2. Has not shown much  
improvement lately.  
Clinton—Half mile in 53. Has been going along  
slowly.  
Demoness—Half mile in 51 1/2. Good work for this  
filly, which is ready.  
Detroit—Three-quarters in 1:20 1/2.  
Emerald Isle—Three-quarters in 1:19 1/2. Has been  
showing good work for some time.  
Footlights—Mile in 1:48. Looks good and is ready  
to race well.  
Force—Seven-eighths in 1:34. Has been going  
along slowly for some time.  
Gay Bird—Mile in 1:49. Shows a great deal of im-  
provement lately.  
Golconda—Seven-eighths in 1:35. Not much of a  
work horse, but is at his best.  
Huda's Sister—Three-quarters in 1:20. Coming  
around fast after a letup.  
Island Queen—Half mile in 51. Shows plenty of  
speed in all her work.  
Jenny Geddes—Mile in 1:47. Has a fair amount of  
speed and is ready.  
Kildarkin—Half mile in 53 1/2. Does not seem to  
show much improvement.  
Little Wolf—Half mile in 54.  
Lochiel—Half mile in 50 1/2. Has all his good speed  
and is at his best.  
M. Cambon—Three-quarters in 1:19 1/2. Was going  
along well in hand all the way.  
Mad River—Seven-eighths in 1:35 1/2. Has not been  
showing much fast work.  
Maxentius—Mile in 1:52. Under a pull.  
Nick Akin—Half mile in 52 1/2. A good going colt  
with speed.  
Pennroyal—Three-quarters in 1:22 1/2. Has been  
on the slow side for some time.  
Puck—Seven-eighths in 1:36. Was working along  
under a good pull.  
Red Rob—Five-eighths in 1:06. Coming around  
nicely to his good form.  
Reine Margot—Half mile in 54. Has been resting  
for some time.  
Sempolus—Seven-eighths in 1:34 1/2. Was going  
along well when eased up.  
Starbottle—Five-eighths in 1:07. Has not been  
showing any fast work.  
Taboo—Mile in 1:49. Coming around fast to her  
good racing form.  
Third Rail—Seven-eighths in 1:36. Has not been  
doing much work.

## COEUR D'ALENE STABLES FILLING.

Coeur d'Alene, Idaho, April 3.—Three carloads of  
horses that reached Alan from Juarez brought the  
stables of John Lowe, Charles W. Clark, for whom  
Lowe is trainer, W. H. Fizer, and Earl Linnell.  
The Linnell string numbers among others the good  
race horse Irish Gentleman. Lowe has Rey Hindoo  
and Americus and C. W. Clark's El Palomar and  
Cluny, the latter a Derby candidate; Joe Schreiber's  
Florence Roberts, Jim Bascy, Maltie Girl and Don-  
caster. The Fizer string includes Pinkola, Eye  
White, Baby Doll, Whidden and Discontent.  
Henry McDaniel was a guest of Secretary Frank  
W. Smith at the track yesterday and commented on  
the low inside fence, which he believed an excellent  
safety feature in preventing jockeys' stirrups from  
brushing the boys off. The McDaniel string includes  
Delaney, Lucille Allen, Velle Foxy, Neglige, Mol-  
ler, Far Cathay, Daylight, Stout Heart, Loween and  
Little Birdie.  
W. R. Engstrom, the San Francisco bookmaker,  
is quartered at Spokane.  
Eight more cars of horses are expected at Alan at  
once and preparations are being made for additional  
stable space.

## LENGTH OF NORFOLK MEETING INDEFINITE.

Norfolk, Va., April 3.—The meeting of eighteen  
days which will be inaugurated here next Monday  
will mark the opening of the eastern racing season.  
There will be an unavoidable conflict of two weeks  
with the Charleston meeting. Naturally the new  
meeting will draw many horses and horsemen from  
the South Carolina course, but at any rate the exo-  
dus will be far off.  
Bob Levy, it is stated, has been assured against  
loss by local business men and patrons of racing in  
Virginia.  
It has not yet been settled whether the meeting  
opening of the Pinhook meeting, the license of the  
Jamestown Jockey Club extending to two days prior  
to the opening of the Baltimore track, which may  
not occur until the first week in May. Should such  
be the case the Norfolk meeting will be corre-  
spondingly extended.

## RACING MANUAL NOW READY.

The American Racing Manual for 1912 is now  
ready for distribution. It is unquestionably a better  
book than any of its predecessors, having been en-  
riched by the addition of new features, while at the  
same time all the old features are retained. This  
publication, which is annually in great demand  
among those interested in the turf, is an excellent  
and low-priced book of 440 pages, holding infor-  
mation obtainable in no other publication. It is simply  
a mine of records. Among its features are:  
Exposition of Method for Calculating Pari-mutuel  
Prices, with Examples.  
English Racing Records to Date.  
Three Handicap Systems with Examples.  
Records of All Distances of the Tracks of the  
United States, Canada and Mexico.  
Yearling Sales of 1911.  
American Racing Records at All Distances.  
Australian Racing Records.  
The Great Money Winners of the American and  
English Turf.  
The Leading Winning Two-year-olds Since 1870.  
List of Horses That Have Sold for Great Prices.  
Remarkable Feats of Jockeys.  
Leading American Sires Since 1870.  
Twenty Leading Sires of 1911.  
A Table of Comparative Speed of the Tracks at  
All Distances.  
The Scales of Weights of the Jockey Club, Ken-  
tucky State Racing Commission, Western Jockey  
Club, Pacific Jockey Club, Canadian Racing Asso-ciations, Southern Jockey Club, American Turf Asso-  
ciation, Mexican Jockey Club, and of England.A Table of the Mile Speed of All Tracks.  
The Winners of the Two Thousand, One Thousand,  
Epsom Derby, Oaks and St. Leger from Their Foun-  
dation.The English Betting Rules.  
The First, Second and Third Horses, Jockeys,  
Weights, Values and Times of American Stakes.  
Winners of All Stakes of 1911.Racing Statistics of 1911.  
Horses Disqualified in 1911.  
Dead Horses in 1911.  
Horses Which Died in 1911.What the Running Horses Did in 1911.  
Records of Miles Run in 1:30 or Better, etc., etc.  
Tabulation of Winning Two-year-olds of 1911 Ar-  
ranged Under Their Respective Sires.Officials and Locations of Racing Organizations of  
the United States, Canada and Mexico.  
The book costs only 50 cents in paper binding and  
75 cents in leather covers.Single copies by mail must be sent as registered  
mail, with an extra charge of 10 cents for registra-  
tion. Not responsible for books mailed without regis-  
tration.With this eminently handy book in his pocket any  
admirer of racing can readily answer almost any  
query that may come up concerning facts of racing  
in the past. Its equal has never been printed and,  
considering the topics it covers, it is an extremely  
low-priced book.

## CHARLESTON FORM CHART.

CHARLESTON, S. C., WEDNESDAY, APRIL 3, 1912.—Palmetto Park. Sixty-first day. Charleston Fair  
and Racing Association. Winter Meeting of 76 days. (13 books on.) Weather clear.

Presiding Judge, W. F. Schulte. Starter, A. B. Dade. Racing Secretary, F. J. Pons.

Racing starts at 2:30 p. m. (Chicago time 1:30 p. m.). W indicates whip, S spurs, B blinkers. Fig-  
ures in parentheses following the distance of each race indicate index number, track record, age of horse  
and weight carried. \*Indicates apprentice allowance.1827 FIRST RACE—4 1/2 Furlongs. (1785—54—2—108.) \$300 added. 2-year-olds. Selling.  
Net value to winner \$200; second, \$52; third, \$28.

Ind	Horses	A	W	P	P	St	1/4	1/2	3/4	Str	Fin	Jockeys	Owners	O	H	C	P	S
1779	VAN DEREN	W	111	6	3					1 1/2	1 1/2	C Peak	Gallaher Bros	4	5	13	57	3-5
2806	ELLA GRANE	W	108	1	2					2 1/2	2 1/2	E Martin	W J Toombs	4 1/2	5	5	5	7-10
1689	NICK AKIN	W	115	2	1					5 1/2	3 1/2	Butwell	G M Johnson	3-2	4	8-5	7-10	
1741	FALCONET	W	101	5	4					7 1/2	5 1/2	F Moore	J L Holland	6	8	13-56	3-5	
1528	LATENT	W	106	4	5					3 1/2	4 1/2	C Turner	G E Galvin	7	10	7	2 1/2	1
1806	BRUSH	W	98	7	7					6 1/2	7 1/2	Ferguson	S A Garrison	100	100	100	40	20
1779	LITTLE DAD	W	103	8	8					4 1/2	6 1/2	J Hanover	F Gerling Sr	6	9	9	3	2-2
1799	CALMA	W	107	8	8					8	8	Jensen	T Hackett	40	50	30	7	

Winner—B. c. by Cesarion—Margaret II. (trained by J. C. Gallaher).

Went to post at 2:30. At post 2 minutes. Start good and slow. Won easily; second and third driving.  
VAN DEREN held the lead, but was hustled into the lead and maintained his early advantage through-  
out. ELLA GRANE also ran forward and contention all the way and finished gamely. NICK AKIN was  
not ridden to advantage and should have finished closer up. FALCONET was allowed to run out on the  
turns and closed a big gap in the stretch. LATENT tired after showing early speed. BRUSH finished  
fast. LITTLE DAD showed early speed, but quit. The winner, entered for \$500, was bid up to \$700 and  
sold to J. L. Holland.  
Overweights—Calma, 11 pounds.1828 SECOND RACE—3 1/4 Mile. (1274—1:13 1/2—4—106.) \$300 added. 4-year-olds and upward.  
Selling. Net value to winner \$280; second, \$64; third, \$36.

Ind	Horses	A	W	P	P	St	1/4	1/2	3/4	Str	Fin	Jockeys	Owners	O	H	C	P	S
1803	WANDER	W	6	112	6	3				2 1/2	3 1/2	T Koerner	C E Hamilton	2	2 1/2	2 1/2	4-5	1-2
1730	LOVE WATCHES	W	5	115	10	7				6 1/2	2 1/2	Butwell	R Troxler	2	2 1/2	9-5	1-2	
1723	JOE ROSE	W	6	115	1	1				3 1/2	4 1/2	Goldstein	E Martin	50	50	40	15	7
1723	MISS JONAH	W	6	115	3	9				10	4 1/2	Lounsbury	H Fink	15	20	30	10	
1797	THRIFTY	W	6	110	13	4				1 1/2	1 1/2	Ambrose	H Penny	4	5	4	8-5	7-10
1773	OAKLEY	W	4	110	7	8				4 1/2	6 1/2	Obert	W Westmoreland	20	20	30	12	6
1803	TIPPY	W	4	103	5	8				9	7 1/2	Schweig	W B Carson	8	12	12	4	8-5
1818	LORD WELLS	W	4	113	2	11				5 1/2	6 1/2	C Peak	C Reed	15	20	25	8	4
1750	MONTECLAIR	W	7	112	9	2				7 1/2	9	J Hanover	N B Davis	10	20	29	8	4
1729	CHARLEY STRAUS	W	6	113	3	13				12	10	T Martin	C A Lelman	50	100	100	40	20
1469	CANOPIAN	W	6	112	3	13				12	11	Bauer	R F Clark	100	150	150	60	20
1786	SANCHO PANZA	W	4	105	8	10				11	10	12	C D Ray	100	150	150	60	20
1786	PHIL MOHR	W	5	112	11	5				5 1/2	Bled	R Hoffman	E J Doherty	10	12	10	4	2

Winner—Ch. g. by Peep o' Day—Strayaway (trained by J. S. Everman).

Went to post at 2:38. At post 2 minutes. Start good and slow. Won driving; second and third the  
same. WANDER, well handled, was kept close to the pacemaker from the start, gained steadily in the  
final furlong and was going away at the end. LOVE WATCHES, away in a tangle, showed high speed and  
made up ground rapidly, but tired near the end. JOE ROSE ran well up with the leaders all the way.  
MISS JONAH closed a big gap. THRIFTY quit badly in the final quarter after making the early pace.  
PHIL MOHR was close to the leaders when he suffered a hemorrhage. The winner, entered for \$300, was  
bid up to \$500 and bought in by J. L. Holland.  
Scratched—1790 Lady Orimar, 105; 1530 Workbox, 115; 1707 Stanley S., 110.1829 THIRD RACE—3 1/4 Mile. (1274—1:13 1/2—4—106.) Purse \$450. 3-year-olds and upward.  
Selling Handicap. Net value to winner \$325; second, \$75; third, \$50.

Ind	Horses	A	W	P	P	St	1/4	1/2	3/4	Str	Fin	Jockeys	Owners	O	H	C	P	S
1794	MARJORIE A.	W	4	103	4	4				1 1/2	1 1/2	Bruce	W T Anderson	7-5	11-51	54-5	2-5	



## PRECEDENTS OF RACING.

(Continued from first page.)

or five if he thinks the closeness of the finish justifies it, or he need place only two if they beat the others off. A case occurred in 1903 at Aqueduct in which, as usual, three horses were placed. The winner was disqualified for foul riding, and the race given the horse placed second, and second place to the horse placed third. The horse placed fourth was also disqualified. This necessitated finding another horse for third, but only from custom's sake. As the judge was uncertain as to which horse deserved the place, only two horses should have been placed.

## Rules of Racing—Selling Races.

Selling races are supposed to cater to the poorer class of horses. The owner enters his horse at the value at which he holds him, and, if a winner, he is offered for sale by auction to the highest bidder over the price at which he is entered. But in America no other race of this kind has been so popular. A sort of understanding has for years existed that no one shall bid on a horse unless he has a grievance against its owner—to do so is a challenge, inviting bitter retaliation. The consequence is that the owner's horse is sold for \$3,000, \$500 which their owners would not sell for \$3,000. At times the abuse has grown so strong as to provoke a reform movement of bidding; but they have been spasmodic, and the abuse, while not as flagrant as formerly, crops out even now. When an owner can enter his horse far below its actual value and thus get such an advantage in weight as to insure him the race and back him for all the money he can get, selling races become a farce. Intimidation by implied threats has prevented bidding, and the race has become so frequent as to lead to the incorporation in the rules of 1894 of what is now the sixth paragraph of Rule 131. Previous to 1893, it was also a custom of some owners to start two horses in a selling race in order to protect the owner of the winner in the event of bidding, as by finishing second he received his horse back. This was overcome by an amendment prohibiting an owner from starting more than one horse in a race closing within 48 hours of the day set for the race (see Rule 126).

The rules relative to selling races read that all beaten horses are liable to be claimed for the selling price plus the value of the purse or stakes to the winner. The principle is that horses should only be entered for selling races whose owners are willing to part with them for the combined value of the race and the selling price. If, therefore, it should be no hardship if the horse is claimed. Yet, in America to this day, a claim often excites as much hostility as a bid.

Rule 128 formerly read that "owners of horses placed shall have priority of claim in the order of their places." This permitted another owner to claim a selling race, as the owner of a beaten horse could induce the owner of a placed horse to claim his horse—a "friendly claim," the horse being returned to his owner soon after. This led to the amendment of December 11, 1902, in which the clause giving the owners of placed horses the priority was stricken out and amended to read, "if the owners of two or more horses claim the same horse, they shall draw lots." The same rule (128) formerly called for all claims to be made within fifteen minutes after the winner had passed the scales, as a claim after the winner had passed the scales was a claim for a horse not yet decided in that time the right to claim would expire by limitation—such a case nearly happened at Saratoga in 1902. Hence, the rule has been amended to read "after the winner has been sold."

## Declaration to Win.

The rule relating to declarations to win is often misunderstood. An owner starting two or more horses in a race is not compelled to declare with which one he intends to win, but if he omits to do so he is expected to have both ridden out to beat all the other horses. For the Epsom Derby of 1827 Lord Albion started Mameluke and Clarinet, and won with the former, although Clarinet appeared to be the best colt. In 1868, Sir Joseph Hawley declared to win with Green Sleeves or Rosicrucian in preference to Blue Gown, which won. In America, for the Belmont Stakes of 1875, the late Mr. McCraw won with Calvin, although Aristides was the better of the two. For the Withers Stakes of 1879, Mr. Keene won with Dan Sparling, although Spendthrift was a far better colt. The race provoked unfavorable comment—without reason, for at that time there was no rule on the subject of declarations to win. The rule, as it stands, did not appear until several years later.

## Sales with Engagements.

Rule 63 relating to sales with engagements is often imperfectly understood. When a horse is sold with his engagements or part of them, the seller cannot strike the horse out of any of such engagements; but should the purchaser default, the seller remains liable for the forfeits. This is a hardship, and the only relief the seller has is to pay them and put the purchaser in the list as owing him. The English rule is better, as it provides that should the horse, or his owner, appear in the race, the seller can strike the horse out of any engagements and thus reduce his liability.

## Transfers of Engagements.

A horse purchased out of a selling race cannot start for engagements unless the former owner transfers them. In 1890, at Monmouth Park, a filly started for the Oaks under such circumstances. Had she won she would have been disqualified. However, there is no rule which prohibits the buyer starting a horse for a race for which he has been nominated if his nominator gives his consent. But evidence is necessary that the engagement has been transferred to the buyer from the seller, and that at any time. Hence, registration of the transfer should always be made. In this matter the case of Up Guards (fitted elsewhere in Racing Cases), in which Mr. Pack purchased Up Guards of Major Westcott by private sale with his engagement for the Chester Cup of 1898, was not registered; accordingly, when the horse won an objection was lodged and dismissed on the ground that, notwithstanding there was no registration, the seller had sold the engagement, and the buyer had the right to start the horse. One of the stewards held that in default of registration the seller could have struck the horse out half an hour before the race and that Rules 91 and 92 were framed with the purpose of deciding disputed questions as to striking out a horse and the payment of forfeits. However, the Up Guards case caused Rule 92 to be amended in 1900 to read "sales with engagements, by private treaty must be registered, to entitle either seller or purchaser to avail himself of the conditions of the preceding rule."

## Estimating Value of Race.

Rule 78 provides that in estimating the value of a race, all money payable to other horses or breeders out of the stakes by the conditions of the race shall be deducted. In England a similar rule prevailed until 1883, when a case occurred in which the Jockey Club held that the entire value of the race, less its entrance and subsequent forfeits, should be shared against the winner and subsequently made a rule of racing. Thus, if a horse wins a stake in which there is a bonus to the breeder or nominator, it is calculated in the value to the winner, and he is made to incur penalties of weight for winning money he never earned. Lord Casford, Lord Capel, and Lord Albion vigorously opposed it, and the London Field commented upon the Jockey Club as "finkering with the law to accommodate their ruling and making statutes of the equity of the principles of equity," and adding "the equitable immorality of the practice of saddling owners with penalties for money won by breeders seems to us to be patent."

## Allowances.

Rule 84 provides that "allowances must be claimed at time of entry." But if an owner makes a claim of, say ten pounds, and it is found he is entitled to only five pounds, there is no authority in the rules to enable him to have it corrected, and, until such a rule is added, the rules as they stand cancel any allowance to the horse and he must carry the weight fixed for the race, as though no allowance had ever been claimed for him. It is true, the rule further reads "a claim for allowance to which a horse is not entitled does not disqualify, unless carried out at scale." But this intends that he shall not be compelled to carry the weight which, through an error, he had claimed at time of entry, and enables him to start without any allowance. There is in the rules no provision for correcting the claim, the \$10 fine of Rule 57 applies only to incorrect description, or entry without partnership or joint interest having been registered.

## RACING CASES.

No. 1.—Objection to Winner—Wrong Weight—Winner Disqualified Four Days Later.

Stockbridge, Eng., June 27, 1890.—For the Hurstbourne Stakes, Gorea finished first, beating Sir Frederick Roberts four lengths. An objection to the winner on the ground of carrying insufficient weight, was lodged on the day after the race, and heard at Newmarket on July 1. The stewards disqualified Gorea for carrying wrong weights, she not being entitled to any allowance, and awarded the race to Sir Frederick Roberts.

Stewards—Prince Soltykoff, Mr. Houldsworth and the Duke of St. Albans.

No. 2.—Objection to Winner—Insufficient Description—Objection Reported for Delaying Objection.

Portsmouth, Eng., October 20, 1891.—An objection was lodged against the winner of the Corporation Plate, on the ground of insufficient description, but was overruled and the objection was reported to the stewards of the Jockey Club, for his delay in proceeding with the objection.

No. 3.—Objection to Winner—Insufficient Weight Dismissed for Not Being Made by Proper Time.

Baldoye, Ireland, September 15, 1891.—After the International Plate was won by Detonator, an objec-

tion was lodged against the winner to the effect that he had carried insufficient weight, but the objection was declined to entertain it, as it was not made by the proper time.

No. 4.—Misstatement in Entry—Horse Disqualified for Omitting Name.

Scarborough, September 1, 1888.—Seamer Handicap Plate, Mr. Nay's Courtney filly, finished first, but was disqualified on the grounds of misstatement and omission in entry, she having run at Gosford Park, June 23, 1887, in the name of Her Grace. The race was awarded to Nell Cook, which finished second. The stewards acquitted Mr. Nay of any wrong intention.

No. 5.—Short of Weight—Objection to Horse Started in Same Entry—Objection Overruled.

Saratoga, N. Y., August 17, 1871.—For the Kentucky Stakes, Sir Ryder finished first, Joe Daniels second, Alarm third. Colonel McDaniel started two colts—Joe Daniels and Hubbard. Returning to scale Hubbard was short of weight. Objection was made to Joe Daniels being placed second, on the ground that he and Hubbard were started in the same entry (Colonel McDaniel's). The objection was overruled.

Note.—There was not at that time, nor is there now, any rule in the racing code, by which a horse can be disqualified, because another horse started in the same entry and is short of weight. With foul riding, it is different, as against all horses which are disqualified, which are started in the same interest as the offender. In the steeplechase rules, it provides that when a horse is disqualified for any cause, all horses in the same interest, may be disqualified.

No. 6.—Objection to Winner—Incorrect Weight—Penalty for a Horse Dividing a Dead Heat.

Newmarket, Eng., April 16, 1896.—An objection to the winner of the "Patwork" late Braham, was made, claiming he had carried incorrect weight. It was overruled, as the stewards considered that a horse dividing after a dead heat is liable to carry a penalty for the amount he has received, if returned as the actual winner.

No. 7.—Insufficient Description—Winner Disqualified Three Weeks Later.

Sutton Park, Eng., July 8, 1869.—Patchwork finished first in the race for the West Bromwich Handicap. The owner of the second horse, Clarionette, objected to Patchwork on the ground that he was not entered as "Patchwork" late Braham. The case was heard at Goodwood three weeks later, and Patchwork was disqualified for being insufficiently described.

No. 8.—Insufficient Description—Age Not Given—Winner Disqualified.

Curragh, Ireland, June 24, 1891.—For the Curragh Plate, Cry Help finished first, but was disqualified on the ground that his age was not given in the entry, and the race was awarded to No Go, which came second. No Go was bought for 95 guineas.

No. 9.—Insufficient Description—Age Not Stated—Winner Disqualified—Owner Warned Off.

Hamilton Park, Eng., July 17, 1891.—For the Brandon Selling Plate, Commissary finished first, but was disqualified for having been entered with an age which was not given in the entry. The race was awarded to Primus, which came second. The stewards reported the circumstances connected with the case to the stewards of the Jockey Club, who investigated the matter at Goodwood, on July 29, and warned Mr. Robert Hayward, owner of Commissary, not to start him again.

No. 10.—Misdescription—Case Dismissed.

Sheephead Bay, N. Y., September 14, 1887.—Raceland won the Great Eastern Handicap. Mr. W. B. Jennings, owner of George Oyster, the second horse, objected to Raceland receiving the stakes, on the ground of misdescription. Raceland having been nominated as "by Billie, dam Caramel," his actual pedigree being "by Billie, dam Calomel." The case being referred to the executive committee, the following decision was rendered:

"The committee decide that it was evidently the trainer's intention to give the correct pedigree; that he did so to the best of his ability. The fact that he wrote Caramel instead of Calomel is immaterial, he having been deceived by the similarity of names. The description should identify the horse, and so the entry was sufficient for the purpose."

Note.—The decision was contrary to all precedents made in similar cases, several of which are given. The Rule of Racing (Rule 15) in operation at the time (1887) read:

"In entering a horse for the first time, he must be clearly identified by stating his name (if he has any), his color (when possible), whether he is a horse, mare or gelding, and the names of his sire and dam; and if his sire and dam are unnamed or unknown, such further pedigree or description or particulars, as will distinguish him from all other horses."

Raceland was not so nominated; his dam was given as "Caramel," instead of "Calomel." Already there was a Caramel, by Monarchist. It was urged that Raceland's trainer made the entry and never having spelled the name Caramel suggested itself to his mind without any intention to mislead. This is taken for granted, but it was an incorrect nomination.

In England, as far back as 1838, at a meeting of the Jockey Club, it was unanimously resolved, that it is the opinion of this club, that no horse, though coming in first, shall hereafter be deemed the winner of any plate, match or sweepstakes, whether handicap or not, which shall be proved to have run, or continued to run under a false description, and such disqualification shall remain in force until his proper pedigree shall be ascertained and recorded. But no objection to the qualification of a horse shall be received after the lapse of twelve months from the time of running."

Again, at a meeting of the Jockey Club, held June 7, 1845, it was resolved, "That if a horse shall be fraudulently run or entered for any race by a false description, such horse shall be thereafter disqualified for running in any race."

At the time of the case of Raceland, the rule (No. 16) of Racing, stated that, "The description shall be repeated in each entry of the horse until an entry of him by description with a proposed name has been published in the program or list of entries."

However, Raceland had started throughout the season, at St. Louis, Chicago and Latonia, as a son of Caramel. His owner must have known the description was wrong, yet he had made no effort to correct it.

Only a few years previous to the Raceland case, Mr. Keene's colt Burgomaster, was disqualified for all engagements, because he was nominated as being a son of Bombazine, when he was really a son of Falling Star—a precedent and a parallel for Raceland's case.

No. 11.—Misdescription—Horse Disqualified.

The Earl of M— had declared the produce of Pasta, covered by Drone, as a bay filly, then named Zelmira. The name having been misprinted Zelmira, he having another filly of that name, nominated Zelmira for the Stewards' Stakes, as "Zelmira, sister of Pasta."

In 1839, Zelmira, by Drone, out of Pasta, started for the Anglesea Stakes, but did not win. She then started for the Stewards' Stakes as Zelmira, with sister to Argiro added. Objection was made, as Argiro was by Rolior or Drone. Objection was confirmed.

A similar case occurred at Newmarket. A filly by Whalebone out of Moses' dam, was entered as a "sister to Moses" and disqualified, as Moses was by Whalebone or Seymour.

No. 12.—Misdescription—Winner Disqualified—Difference in Selling Price Returned to Owner.

Chelmsford, Eng., June 9, 1859.—Maiden Hail Stakes, for two-year-olds; selling allowances; winner to be sold for 50 sovereigns. Mr. Fleming's br. f. by Connaught Ranger—Peggoty's dam, first; Mr. J. Ward's Maypole, second; Mr. Evans' br. c. Ormond, third. Winner bought in for 155 guineas. The case was referred to the stewards, who decided:

"Whereas, The filly by Connaught Ranger, which came in first for the Maiden Hail Stakes, and improperly entered as 'out of Peggoty's dam,' instead of 'dam by Venison, out of Peggoty's dam,' the stewards decide that the second horse is entitled to the prize, and also that the clerk of the course must return to the owner of the Connaught Ranger filly, the difference between the selling price and the amount for which she was bought in when put up to auction."

October 28, 1859. Signed: H. J. Rous, V. Admiral.

No. 13.—Misdescription and Insufficient Description—The Go Between Case—Objection Overruled—Case Appealed—Decision Reversed.

Sheephead Bay, N. Y., June 27, 1906.—After Mr. A. Shields' horse, Go Between, won the Suburban Handicap, Mr. F. R. Hitchcock objected to him on the grounds of misdescription. He was described as a gelding, which he was not. The stewards upon investigation found he was not a gelding, but that in the original entry Mr. Shields had not so described him, no age, sex or pedigree having been given in the conditions of the race. Thereupon, the stewards issued the following:

"The protest of June 27, against Go Between, as winner of the Suburban Handicap, on the ground of his having been entered as a gelding, is denied, no description of sex having been given in making the original entry."

Mr. Hitchcock then protested Go Between and Ormond's Right as starters for the Commonwealth Handicap, on the grounds of misdescription. Go Between being wrongly described as a gelding, and Ormond's Right, which was not, as a private one, the original entry. The protest was denied by the stewards. Thereupon, Mr. Hitchcock, under Rule 134 of Racing, appealed to the stewards of the Jockey Club.

The stewards of the Jockey Club reversed the decision of the stewards at the meeting, and declared

Go Between and Ormond's Right, as not qualified as starters for the Commonwealth Handicap. Mr. A. Shields and his horses were suspended from racing, and the license of John Shields, trainer of the horses, was revoked.

Note.—The stewards of the meetings based their decision on the fact that Go Between had not been described as a gelding in the original entry. But opposed to this is another fact, namely, that the nominator had omitted to state the age of the horse, as required by the third paragraph of Rule 51: "In every entry, after such publication, his name and age will be sufficient." This as an adjudged case—see the Cry Help case (No. 8 in Racing Cases) and Commissary case (No. 9) in which the owner was ruled off.

That these details, such as age, sex and pedigree, have been demanded in the identification made in an entry, is a racing principle older than most men now living. It is only necessary to state that for the Two Thousand Guineas of 1828, Mr. M. French nominated a colt as Palemon, without any further description. An objection was made, and the case referred to the stewards, who decided he could not start.

No. 14.—Misdescription—Winner Disqualified.

Egham, Eng., August 23, 1859.—Betting Stand Plate—Mr. W. Day's bay colt by Acrobat out of Albion's dam, which came in first in this race, having been entered as "out of Albion," was disqualified, and the race given to Hand Over Hand, which had finished second.

No. 15.—Declaration to Win Not Made—Horse Stopped to Allow Stable Companion to Win—Trainer Fined and Reprimanded.

Morris Park, N. Y., July 13, 1891.—For the Hackensack Handicap, Col. F. C. McLevee started Rey del Key and San Juan. It was apparent that San Juan could have won, but Doggett, his rider, held him back allowing Rey del Key to win. The trainer of both horses, when called upon, admitted he had made no declaration and that he had told Doggett that Rey del Key should win. Colonel McLevee said he knew the omission, and he made the declaration, that he had left that to Mr. Allen. The stewards fined Mr. Allen \$500 and reprimanded him for negligence in regard to Rule 58 of Racing.

No. 16.—Jockey's Retainer Does Not Entitle Him to Fees for Races He Did Not Ride.

New York, November 10, 1892.—Anthony Hamilton, a jockey, under contract to Mr. R. Lorillard and Isaac B. Murphy, a jockey under contract to Mr. F. A. Ehret, filed claims against their employers for compensation for riding fees for mounts which had been given to other jockeys and which they claimed belonged to them under their contracts. The contracts were submitted to the Board of Control, which body returned the following decision: "The jockeys named in the claims are not entitled to compensation for races in which they did not ride for their employers."

No. 17.—Objection to Winner—Contingencies Not Registered—Winner Disqualified.

Leopardstown, Ireland, June 5, 1891.—The Silver Park Plate was won by Golden Banner. The winner was disqualified for having run in contravention of Rule 94 and the race awarded to Blanc Mange, which finished second. The stewards of the Jockey Club, who investigated the matter at Goodwood, on July 29, and warned Mr. Robert Hayward, owner of Commissary, not to start him again.

No. 18.—Objection—Referred to Jockey Club From Want of Evidence.

Lincoln, Eng., March 19, 1888.—Tathwell Plate won by Cinderella colt. An objection to the winner on the ground of insufficient evidence, was lodged by the stewards; but, from want of evidence, was referred by them to the stewards of the Jockey Club, who overruled it.

No. 19.—Objection Overruled—Appeal—The Decision Reversed on Appeal.

Sandown Park, Eng., April 13, 1888.—Railway Plate, The Celt finished first, Spice second. An objection lodged by the owner of Spice, on the ground that The Celt had carried the wrong weight, was overruled. Lord Langan (owner of Spice) subsequently appealed to the stewards of the Jockey Club, under Rule 39 (VIII.) when they decided that The Celt was disqualified, owing to not having carried a penalty for a race exceeding the value of 190 sovs. won as a two-year-old, and accordingly awarded the race to Spice.

No. 20.—Conflict Between Conditions of Race and Rules of Racing.

Sheephead Bay, N. Y., June 23, 1895.—The owners of Mirage (Messrs. A. H. & D. H. Morris) claimed a maiden allowance in the Spindrift Stakes on the ground of insufficient evidence, and the race was referred by them to the stewards of the Jockey Club, who overruled it.

No. 21.—Objection Overruled—Appeal—The Decision Reversed on Appeal.

Sandown Park, Eng., April 13, 1888.—Railway Plate, The Celt finished first, Spice second. An objection lodged by the owner of Spice, on the ground that The Celt had carried the wrong weight, was overruled. Lord Langan (owner of Spice) subsequently appealed to the stewards of the Jockey Club, under Rule 39 (VIII.) when they decided that The Celt was disqualified, owing to not having carried a penalty for a race exceeding the value of 190 sovs. won as a two-year-old, and accordingly awarded the race to Spice.

No. 22.—Liability of Nominator—Entry Ineligible by Reason of Age.

New York, January 19, 1892.—Cases submitted to the Board of Control:

1. Mr. D— nominated several yearlings, bred and owned by himself, in stakes closing August 15. The October following he sold their racing qualities to Mr. G., filing transfers with the secretaries of the racing clubs, accompanied by acceptances by Mr. G—, the only consideration being one-half interest in their winnings. In December, Mr. G— to be abroad, but desired to sell their racing qualities to Mr. D—, the only consideration being one-half interest in their winnings. The question arose whether Mr. D— was liable for the forfeits in the stakes closing in January, after he had parted with control of the horses.

2. In January, Mr. D— nominated two fillies, two years old, in a stake for three-year-olds. As they were not eligible, the question was whether the nominator was liable for forfeiture, or the secretary should have declined the entry.

The above being submitted for decision, the Board of Control decided:

1. It being shown that Mr. D— had sold only the racing qualities of the yearlings entered by him in the stakes closing January 1, 1892, he still possessed an interest in them, and his nominations were, therefore, valid.

2. That as he had entered fillies two years old in a stake exclusively for three years old, the fillies were ineligible to start and the nominator should pay a fine of ten dollars for each entry.

Signed: W. S. Vosburgh, Secretary.

January 19, 1892.

No. 23.—Objection to Winner for Omission to Register Transfer of Engagement—Case Dismissed.

Chester, Eng., May 4, 1898.—Chester Cup (handicap) of 2,550 sovs. Mr. Pack's Up Guards, first; Mr. Dobell's The Rush, second; Mr. G. M. Inglis' Ply, third. On the day after the race, the owner of the second horse lodged an objection to the winner "on the ground of change of ownership since entry, and there being no registration of the same."

The objection was heard at Kempton Park on the following Saturday (May 7) and was dismissed. It was considered frivolous and vexatious. Acting Stewards Mr. C. M. Howard (for the Duke of Westminster), Lord Durham (for Lord Chalmers), and Mr. J. H. Houldsworth (for Lord Enskillen).

Note.—Lord Durham has since explained the decision in a letter to Mr. Corlett, dated Lambton, January 8, 1900, in which he holds the objection to have been "vexatious" because it was made 23 hours after the race, at a time when the Chester stewards could not decide it, and that it was frivolous because it was founded upon any rule of racing. The rule upon which Mr. Dobell objected was 92 of the Rules of 1898, which did not require registry, as required by a later revision of the rule.

The rule in 1898 read: "In all cases of sale by private treaty, and written acknowledgment of both parties, that the horse was sold with engagement, it is necessary to prove the fact." After the Up Guards case, Rule 92, was amended to read, "Sales, with engagements by private treaty, must be registered to entitle either seller or purchaser to avail himself of the conditions of the preceding rule."

No. 24.—Private Contract Not a Subject of Disqualification.

Newmarket, Eng., October 11, 1893.—The Selling Plate was won by Maltine. On the following day an objection was lodged to the winner on the ground that according to the terms of a lease, he was not eligible to be entered in a selling race. The objection was overruled, and the deposit forfeited. The stewards considering the matter a private one.

No. 25.—Entry Not Made in Time—Horse Disqualified—Clerk of Course Fined.

Leicester, Eng., April 8, 1893.—Yarm, the winner, was objected to on the ground that his entry was not made in due time, and the stewards decided that the first entry made by T. Mullen, was not valid in accordance with Rule 97, and that the second

entry, made by telegram, was received too late. Yarm was, therefore, disqualified, and the race awarded to Fox. On appeal, the stewards of the Jockey Club decided that Yarm was never duly entered, was not qualified to start and could not, therefore, be considered a starter. They fined the clerk of the course 50 sovereigns for accepting an entry after the time fixed for closing and putting it on the card as a correct entry. Fox was put up at auction at Epsom, on Tuesday, April 11, and bought in for 190 guineas.

No. 26.—Entry by Telegram Confirmed by Person Not Authorized—Winner Disqualified.

Brighton, Eng., April 27, 1893.—In race for the Town Plate, Pampero finished first and was sold to Lord Molyneux for 300 guineas. The case going to the stewards of the Jockey Club in respect to finding riding by Nolan, on Pampero, it developed that Pampero had been entered by telegram and confirmed by a person not duly authorized. Pampero was disqualified, and the race awarded to Orange Peel, which was offered at auction at Newmarket, May 4, but not sold. Lord Molyneux retained Pampero at the price of a beaten horse.

No. 27.—Objection to Horse Nominated by a Person Not Its Owner—Winner Disqualified.

Sheephead Bay, N. Y., September 7, 1901.—Leonora Loring the property of L. M. Myers, finished first for the Great Filly Stakes. Objection having been made on the ground of incorrect nomination, and upon investigation it appearing that she was nominated by Maj. B. G. Thomas, who was not her owner, she was disqualified under Rule 50 of the Rules of 1901, and the stakes were awarded to Blue Girl.

No. 28.—Disqualification—Rider Not Qualified.

Brighton, Eng., November 1, 1887.—Southdown Plate won by Polemic. Mr. C. Archer's horse Mr. King, four years, ridden by Mr. C. Elphick, finished first. The conditions of the race read, "to be ridden by gentlemen, qualified under Grand National Hunt Rules, jockeys seven pounds extra."

The horse Mr. King, was disqualified on the ground that his rider was not qualified to ride according to conditions, and the race awarded to Polemic, which came in second.

Little Harry finished third, but as he did not weigh in, was not placed.

No. 29.—Only Two Stewards in Stand—Three Required by Rule.

Windsor, Eng., August 6, 1907.—Menu finished first for the Castle Handicap. An objection to Menu, by the rider of Tom Wedgwood, the second horse, on the grounds of crossing and boring, was sustained and the race awarded to Tom Wedgwood beating stewards—Sir R. Wilmet and Mr. G. Edwards. Mr. C. Morton, as agent for Mr. J. B. Joel (the owner of Menu), lodged an appeal on the ground that only two stewards adjudicated on the case, instead of three, as required by Rule 166. The matter was referred back for re-hearing, and was investigated by Sir R. Wilmet, Mr. G. Edwards, Capt. R. Greville, at Hurst Park on August 24, when, after hearing the evidence of the judge and of the jockeys who rode in the race, they were of opinion that Menu crossed Tom Wedgwood, and was two lengths clear at the time. They therefore, disqualified Menu, and awarded the race to Tom Wedgwood.

The clerk of the course was called upon by the stewards of the Jockey Club to explain why he had failed to arrange for the appointment of a third steward in accordance with the rules, and, after hearing the explanation, imposed a fine of 25 sovereigns.

No. 30.—Disqualification of Winner—Omission in Registration of Partnership.

Leopardstown, Ireland, June 10, 1890.—Juvenile Plate, No-Go came in first, but was disqualified by stewards of the Turf Club, to whom the matter was referred, on the ground that she was not solely the property of Mr. Cullen, and that the partnership in her was registered, as required by rule, and the race was awarded to Moa, which came in second.

No. 31.—Objection to Winner—Over-Ruled Clerical Error—Clerk of Course Fined.

Lewes, Eng., November 6, 1891.—Members Plate won by Joe Miller. An objection to the winner on the ground of insufficient description, and that she was wrongly described in the registered lease, was referred to the stewards of the Jockey Club, who overruled it, as they found that the original entry of the horse at Brighton in 1890, was correct under Rule 80, but part of it was omitted from the card of that meeting. They fined the clerk of the course 50 sovereigns for the omission.

No. 32.—Objection—Overweight—Conditions of Race Construed.

Doncaster, Eng., 1851.—After the race for the Betting Room Stakes, Nancy, the winner, was objected to for having carried two pounds overweight. The conditions of the race were that a winner once in 1850 or 1851, should carry three pounds extra, twice, five pounds extra. Nancy carried five pounds extra, for having won twice. The objection was that she won only once in 1850 and once in 1851, and consequently should have carried only three pounds extra. The case being referred to Admiral (then Captain) Rous, he returned the following decision:

"I find by the official report of the Clerk of the Course that Nancy carried 9 st. 2 lb. This weight, 9 st



contravention of these rules, shall be fined, suspended or ruled off.

Signed:

"F. R. Hitchcock,  
"A. Dainfield,  
"W. S. Vosburgh."

No. 38—Selling Race—"Friendly Claim"—Claimed Horse Returned to Owner—Both Owners Fined.

Saratoga, N. Y., August 20, 1906.—Mr. Drake's horse Wes, third in the fifth race, was claimed by G. S. Davis and M. L. Hayman. In the loss up Mr. Hayman was awarded the horse at the claiming price, \$1,400. It was found that the horse had been returned by Mr. Hayman to Mr. Drake shortly after the race. The stewards investigated the transfer of Wes and declared it "a friendly claim" and, therefore, irregular, notwithstanding Mr. Hayman's statement that he had resold the horse to Mr. Drake at a profit. Thereupon the stewards issued the following:

"The stewards of the meeting fine Mr. J. A. Drake and Mr. M. L. Hayman, \$200 each, for an infringement of the Sixth Section of Rule 131 of Racing."

No. 39—Short of Weight—Bridle Put in Scale—Horse Disqualified.

Aqueduct, N. Y., July 17, 1895.—Mirage finished first in the fourth race. On weighing in his jockey, O'Leary, was a pound and a half short of weight. The stewards allowed him to draw his weight with the bridge, and he passed the scale.

On appeal to the stewards of the Jockey Club, July 24, Mirage was disqualified on the ground that his jockey, weighing in with his bridge, was in contravention of Rule 89 and the race given to Abingdon.

No. 40—Selling Race—Claimant of Second Horse Compelled to Pay Full Amount of Stakes.

Brighton Beach, August 10, 1895.—Emma, Gutta Percha and Annie Ashpole finished first, second and third in a selling race of stakes of \$400, of which \$75 to second and \$25 to third.

Emma's owner, Mr. Burridge, claimed Gutta Percha. Her entered price was \$1,500. The Association charged him \$1,900. He claimed that he should be charged only \$1,800, and quoted Rule 78 of Racing (1889), which states that "the value of the race, there shall be deducted any money payable to other horses or out of stakes by the conditions of the meeting." His claim was overruled on an appeal to the stewards of the Jockey Club and the decision of the Brighton stewards sustained on the ground that Rule 127 (of 1895) stated that "horses starting may be claimed for the selling price, plus the value of the stakes or purse."

Note.—I have always thought the above decision was in contravention of the letter and spirit of the rules of 1895. The value of a race was stated in Rule 78, as given above. The custom had always been to construe the rule either in respect of a penalty or a claim as to prohibit a horse being charged for "money payable to other horses." The custom had been to deduct any money payable to other horses. The decision in Gutta Percha's case made her owner win more money by running second than Emma's did by winning the race. Emma, the winner, received \$300; Gutta Percha's buyer being charged \$400 over her entered price and \$75 second money, made her owner win \$475, while the owner of Emma, the winner, received only \$300.

The decision of the stewards of the Jockey Club shall not be charged for what he does not, or could not, win—an old and well established principle of racing. It is possible the decision was made by overlooking Rule 78 and a literal construction of Rule 127, taking the word value, to mean gross, instead of to the winner, as provided in Rule 78.

No. 41—Selling Race—Price Not Stated at Time Called for Conditions—Entry Refused.

Saratoga, N. Y., August 3, 1900.—For the Wooden Horse Stakes (selling) Lady of the Valley was named as a starter an hour before the race, to carry weight-for-age. As the conditions of the race read "selling price to be stated through the entry-box at the time of closing entries on the day preceding the race," the stewards decided that the entry was not in conformity with the conditions of the race, and Lady of the Valley was not qualified to start.

Note.—At the time, several precedents were cited to show that where the conditions had been similarly worded, owners who had omitted to enter horses through the entry-box at the time preceding the race, and stating selling price, had been permitted to name on the day of the race, by entering at post price, and carrying weight-for-age. It was, however, a clear violation of the conditions. It enables an owner to hold his entry out until the day of the race, when he knows with which horse his horse will have to race, knowledge that is denied those who comply with the conditions.

No. 42—Selling Race—Authorized Agent Not Registered—Claim of Horse Denied.

Gravesend, N. Y., September 22, 1897.—In selling race, Mr. Caruthers, owner of Song and Dance, claimed Howard Mann; subsequently Mr. E. J. Baldwin claimed Howard Mann, through his trainer, F. Taylor. Taylor, having run with Howard Mann, had priority of claim. Mr. Caruthers protested on the ground that under Rule 127 of the Rules of 1897, only owners of horses running or their authorized agents could claim, and that Taylor was not an authorized agent of Baldwin, under the definition of 1897, that his authority was not registered with the Jockey Club.

The Stewards finding such to be the case, decided that Mr. Caruthers was entitled to the horse Howard Mann, and he was delivered by Mr. Baldwin to Mr. Caruthers.

No. 43—Selling Race—Sale Declared Illegal Because Money Was Not Added, as Advertised.

Brighton Beach, August 5, 1890.—Capt. Macell's Sir Oliver won the Sussex Stakes (selling). The winner, upon being offered for sale, was sold to Mr. W. G. Bennett for 210 guineas. Capt. Macell objected on the ground that as the money advertised in the conditions, viz.: 100 sovereigns to be given, was not added to the sale, the sale was illegal. The stewards, Admiral Rous and Lord Westmoreland, decided the sale illegal.

No. 44—Starter's Statement Conclusively—False Start—Race Run Over.

Windsor, Eng., June 16, 1899.—There was a false start for the Windsor Handicap, and most of the horses ran the course. The starter declared he had not given the signal to start, and the Stewards decided the race to be run over.

No. 45—Winner Struck Out of Engagement—Disqualified.

Bromley, Eng., April 21, 1899.—Red White and Blue finished first in the race for the Bickley Stakes, but objection was made to him on the ground that he had been struck out of the engagement two days previously, and he was disqualified.

No. 46—False Start—Run Over—Complaint of Starter Dismissed.

Carlisle, Eng., July 1, 1899.—Cumberland Plate. There was a false start for this race, when all the horses except Bedstead, ran the course. Tyrant came in first, beating Barncliffe by half a length. In the actual race Barncliffe won by four lengths. Horton and Lord Marmion did not start the second time.

The starter, when called upon by the stewards, declared the first race to be no start, and that the jockeys had started without his orders, and that he had never dropped his flag. When asked by the stewards, he replied that he had no complaint to make against the jockeys. The following day the starter wished to report the jockeys for misconduct, but the stewards remembering his reply of the day before, did not feel justified in acting on the complaint.

No. 47—False Start—Race Run Over Three Times.

Saratoga, N. Y., August 13, 1900.—For the first race of the day, Terrorist, Lieber Karl and His Royal Highness ran the entire distance to a false start. Mr. Caldwell, the starter, reported that he had not started the horses, although the jockeys claimed the advance flag had been raised. The stewards ordered the horses to the post, when in another breakaway Lady Contrary, His Royal Highness and Hasbeen, ran the entire distance, the others pulling up. The starter again reported to the stewards that the advance flag had not been raised, and the stewards ordered the horses to the post again and after the race discharged the advance flagman. The action of the stewards was in conformity with Rule 106.

No. 48—Wrong Distance—Race Declared Void, but Added Money Awarded to the Winner.

Sudbury, Eng., February 2, 1899.—After the Sudbury Handicap, the owner of Vision, one of the starters, objected to the winner on the ground that the race had not been run at the proper distance. The stewards referred the case to Admiral Rous, who gave the following decision:

"The horses being started at the wrong post, shortening the distance, the race is void, and all bets are off. As the jockeys had no power to disobey the orders of the starter, it would be unjust that the owners of the horses should suffer from neglect of the starter. The forty sovereigns advertised must be paid to the horse which came in first, and the five sovereigns sweepstakes returned to their respective owners. Signed:—H. J. Rous."

No. 49—Starter's Mistake—Field Started Short of Three Horses—Race Run Over.

Kingsbury, Eng., July 23, 1899.—Ten horses were weighed in for the Selling Handicap. The starter, by mistake, started only seven horses. Before Amour Proper and Inuendo had reached the post, the latter joining in the race and coming in first. The stewards decided it was no race and ordered it run over, Amour Proper winning.

No. 50—Penalties and Allowances—Allowance Can Not Be Deducted from Penalty.

Morris Park, N. Y., June 9, 1891.—Sweepstakes for all ages; winners at any time of \$3,000 to carry 5 pounds extra; twice of \$3,000 or once of \$5,000, 7 pounds extra, and winners of three races in 1891 to carry 15 pounds extra. Non-winners at any time

of \$2,000 allowed 5 pounds, of \$1,000 allowed 7 pounds.

Messrs. J. A. and A. H. Morris' filly L'Intriguante, three years old, was entered and her owners claimed that while she had won three races in 1891, she had never won a race of \$1,000 value, hence, that while she incurred a penalty of 15 pounds for winning three races, it was offset by her not having won a race of \$1,000, for which they claimed the allowance of 7 pounds, deducting which, from her penalty, made her weight 110 pounds and she was so entered. The case being taken to the judges, they allowed the claim, but on appeal to the stewards, Mr. Withers, as senior steward, returned a decision that a penalty was imperative, and that an allowance could not be deducted from a penalty, and that L'Intriguante must carry the full penalty, making her weight 117 pounds, or 15 pounds added to scale.

Note.—With all due respect to so eminent an authority as Mr. Withers, who was certainly one of the greatest either Europe or this country has known, in the L'Intriguante case, his decision was contrary to all practice in similar cases. Clearly, if a horse can incur a penalty under the conditions of a race, he is likewise entitled to any allowance of weight under its conditions, with the exception of stipulation in the conditions that he shall not be.

No. 51—Penalties and Allowances—An Allowance Deducted from a Penalty.

Washington, D. C., November 19, 1902.—Vestall Stakes, for fillies, three years old; non-winners of \$2,000 in 1901, and non-winners of \$3,000 in 1902, at time of starting, to carry 123 pounds. The winner of the Dixie Stakes to carry 5 pounds extra. Non-winners of \$2,000 allowed 5 pounds; of \$1,500, allowed 7 pounds; of two races of \$1,000, allowed 10 pounds.

Adelaide Prince had won the Dixie Stakes, but she had never won \$2,000. Thus she had earned a penalty and an allowance. The question of the weight she should carry having been presented, the stewards decided that the allowance should be deducted from the penalty, and thus offset it, making her weight 123 pounds instead of 128 pounds.

No. 52—Beaten Allowance Claimed by Winner—Race Declared Void.

Kempton Park, Eng., July 15, 1881.—Cloisteress finished first, but an objection to the winner for claiming a beaten allowance of four pounds in contravention of Rule 10 (11), was lodged by Captain Macchell on behalf of Lord Calthorpe, owner of the second horse. The stewards of Kempton Park having decided previously to the race that the conditions were legal, and Cloisteress was entitled to the four-pound allowance, being guided in this decision by a decision given by the stewards of the Jockey Club, and also by the fact that the only alternative was declaring the race void, which was not keeping faith with the public, considered that Cloisteress was entitled to the race, but gave Lord Calthorpe a right to appeal to the stewards of the Jockey Club. On Lord Calthorpe's appeal the stewards of the Jockey Club decided that the conditions were in contravention of the Rules of Racing, and that the race should be declared null and void.

No. 53—Allowances—Handicap Winner Denied and Held to Have Won at Weight-for-Age—The Tarbouche Case.

Jerome Park, N. Y., October 6, 1887.—In purse for three-year-olds and upward, Mr. A. Belmont claimed a weight-for-age allowance for his filly, Tarbouche, 3 years, under the conditions of the race, "horses not having won in 1887, when carrying weight-for-age or more, allowed seven pounds." Tarbouche had won at Monmouth Park, August 6, at the Seaside Stakes, a weight handicap, with 150 pounds, fourteen pounds over her weight-for-age. Mr. Belmont claimed that the fact that the race she had won, being a handicap, did not apply, that the clause contemplated a weight-for-age race. The judges denied Mr. Belmont's claim.

No. 54—Disqualified Horse Reinstated as Winner.

Alexandria Park, Eng., September 12, 1903.—Moderate Plate of £100, for three-year-olds and upward, entrance £3; winner and second free, one and one-half miles, 19 yards (17 furlongs). Sir J. Blundell Maple's Royal Minister, by Royal Hampton, 4, 7st. 12 lb. .... W. Lane 1  
Mr. A. Walton's Balade, 3, 7st. 8 lb. .... Boardman 2  
Mr. W. C. Whitney's White Webbs, 3, 7st. 11 lb. .... J. H. Martin 3  
Mr. W. M. Mousley's Tonsure, 5, 7st. 9 lb. .... B. Dillon 4  
Mr. Fern's Persifer, 3, 7st. 1 lb. .... W. Clark 5  
Mr. M. N. Rhodes' Postman's Knock, 5, 7st. 9 lb. .... O. Madden 6  
Disqualified.

Six to four against Royal Minister; 3 to 1, Balade; 2 to 1, Postman's Knock; 1 to 2, White Webbs. Royal Minister came in first, beating Postman's Knock by a short head, Balade being third, beaten two lengths; White Webbs, fourth; Tonsure got off badly. An objection to Royal Minister, on the ground of baring, was sustained, and the race awarded to Postman's Knock. Acting stewards: Mr. Hugh Owen for Lord Ebury and Mr. Chetwynd for Lord Lurgan. Mr. Bird, on behalf of Sir J. Blundell Maple, and Mr. Walton, then both lodged objections to Postman's Knock, on the ground that he carried insufficient weight, and he was disqualified.

Mr. Bird lodged a second objection, on the ground that Mr. Rhodes had acted in an unauthorized meeting in contravention of Rule 178 (a) of the Rules of Racing. Mr. Rhodes admitted that he had done so, but was not aware that he had infringed the rules. The stewards were of opinion that Mr. Rhodes was thereby disqualified from entering or managing any horse in any race under the Rules of Racing, that the entry of Postman's Knock was invalid, and that consequently no objection on his behalf could be entertained. Under these circumstances, they reinstated Royal Minister as the winner, but gave leave to the owner of Balade, which originally finished third, to appeal to the stewards of the Jockey Club upon the point of reinstatement, and he appealed accordingly. Acting stewards on Mr. Bird's objections: Lord Ebury and Lord Lurgan.

The stewards of the Jockey Club were of opinion that inasmuch as the objection to Royal Minister was lodged by the owner of a horse which was not qualified to run in the race, the objection was not validly made under Rule 169, and that the stewards had no power to adjudicate upon it. They, therefore, reinstated Royal Minister as the winner, annulling their original decision, thus leaving Royal Minister as winner of the race. The stewards of the Jockey Club, however, desired that it should be understood that, in their opinion, in an ordinary case, when stewards have adjudicated upon an objection validly made, as in the case of Mr. Rhodes' decision, which can only be reconsidered on an appeal. They also considered that it would have been advisable that the objection to Postman's Knock should have been decided by the stewards who decided the objection to Royal Minister. They withdrew the disqualification which attached to Mr. Rhodes for having acted in an official capacity at an unrecognized meeting, and which they consider he did through inadvertence and ignorance of the rules.

No. 55—Substitution of Horse After Hour of Naming Denied.

Saratoga, July 31, 1897.—The conditions of the Midsummer Handicap read: "Starters to pay \$50 additional and to be named through the entry box at the usual hour for closing of entries on the day preceding the race." Mr. Seagram named Sunny Slope, neither of which had been named as starters on the day preceding the race, were added and started. As neither of them was placed, there was no protest.

As an hour was specified for naming starters, a refusal to name at that hour, was not tantamount to a declaration, as if the conditions had read, as they more frequently do, "declared" at that hour. The fact that the conditions demanded that starters should be named at a specified time, allows no other conclusion than that those not then named were declared. Therefore, Dutch Skater and Sunny Slope, were not qualified to start.

No. 57—Objection Not Made at Proper Time—Overruled.

Alexandria Park, Eng., June 18, 1887.—Victoria Plate, won by Chatter, had a condition "for maiden two-year-olds, or three-year-olds and upward, that had not won 150 svs. in one race." On June 24, Mr. Paget (owner of second horse), objected to Chatter, on the ground that she had won more than 150 svs. The stewards of the race, on the day of the meeting overruled the objection as being too late, according to Rule 38 (IV), but allowed an appeal to the stewards of the Jockey Club. The latter confirmed the decision, and at the same time fined R. Marsh, the trainer of Chatter, twenty-five sovereigns for gross carelessness, to prevent Chatter from running, after he had discovered she was not qualified.

No. 58—Imported Horse—Age Not Registered—Horse Disqualified.

Harrow, Eng., February 18, 1869.—The French-bred filly, L'Intriguante, won the Two-Year-Old Stakes, but was objected to on the ground that a certificate of her age had not been lodged according to Rule 15. The stewards referred the matter to Admiral Rous, who decided that as there was no qualified, she was not entitled to the stakes.

No. 59—Overweight Allowed.

Chester, Eng., May 7, 1868.—Previous to the race for the All Aged Selling Stakes, S. Adams, the rider of Astracan, the winner, weighed 116 pounds. After the horse had gone to the post, it was discovered by his trainer that his weight should be 121 pounds, and he accordingly sent a five-pound note to the starting post, without giving the clerk of the scales any notice. On returning to scale, after the race, S. Adams drew 121 pounds. The owner of the second horse claimed the race. The case was submitted to the stewards who decided the race in favor of Astracan.

Note.—I find that this ruling was contrary to the rule of 1868, which allowed only two pounds above the weight specified for the horse to carry unless a declaration was made to the Clerk of the scales half an hour before the time fixed for the race. In default of such declaration, the horse carrying more than two pounds over his specified weight was disqualified.

No. 60—The Wishard Forum Case—Entrance Money to a Purse Deducted.

Morris Park, N. Y., October 22, 1895.—In the first race Wishard's owner claimed seven pounds as a non-winner of \$400. He had on October 15 won a purse of \$300, with \$400 to the winner; but the stewards granted the allowance on the ground that his entrance money (\$15) should be deducted, making it \$385. In the same race Forum's owner claimed seven pounds as a non-winner of \$400. He had at Brooklyn, September 24, upon the disqualification of the winner, been awarded a race of \$15 each, \$400 to the winner. The stewards granted the allowance.

Note.—According to the Rules of 1895, Forum was entitled to the allowance, but Wishard was not. The race Forum had won was not designated "a purse," but its terms were those of a sweepstakes, hence under Rule 78 his entrance money should have been deducted.

In the case of Wishard it was directly the reverse. He had won a race designated on the card as "a purse," and under Rule 78 his entrance money should not have been deducted. Yet, both Forum and Wishard were treated on equal terms.

Concerning the "purse" has always been designated like the "plate" of Great Britain and Australia, as "a race for money or other prize to which the owners of the horses engaged do not contribute stakes" (see Rule 1), and the rule (78 of 1895) has always read that in estimating the value of the race entrance money to a purse or entrance money going to the race-fund shall not be deducted. In the English rules it is not specifically stated, but as the rule holds that a "plate" (purse) is one to which the owners do not contribute stakes, the rule estimating winnings by deducting his own stake or entrance money cannot apply.

The intent of this time-honored rule is clear. It is based upon the old sporting and equitable principle that a horse shall not be penalized for having won money he did not receive. If Wishard's owner did not receive \$400 he was entitled to it under the rule as the race was announced as a "purse \$300, \$400 to the winner," the entrance money went to the race fund. Thus as Wishard was a winner of \$400, he had no claim to the allowance, what was paid him cuts no figure in the case.

In the revision of the rules in 1896 Rule 78 was amended so that a winner of a match or a private sweepstakes does not incur a penalty. In the revision of the rules in 1894 the words were inserted "even though money be added to the latter" which is contrary to the practice in all other countries. It could only be justified by the habit of racing associations of recklessly adding to the prize two or more noted horses together as a gate money attraction.

No. 61—Weighing in Without Martingale—Winner Disqualified.

Curragh, October 15, 1890.—Corinthian Plate. Glen Art came in first, but was disqualified on the ground that his rider weighed in without the martingale, and the race was awarded to Wise Chief, which came in second.

No. 62—Complaint Against Jockey for Refusing to Ride—Dismissed on the Ground that By Accepting Another Jockey the Owner Had Released Him.

Worcester, October 22, 1890.—Deerhurst Handicap. Mr. T. Stevens, Jr., reported Bradbury, the jockey, to the stewards for refusing to ride Rendezvous after engaging to ride his horses at the meeting. The stewards were of opinion that Mr. Stevens released Bradbury when he accepted Finlay to ride Rendezvous. They, therefore, exonerated Bradbury and reprimanded Finlay for accepting the mount on Rendezvous and going away from Worcester without giving Mr. Stevens an explanation.

No. 63—Objection to Winner for Not Declaring Overweight By Proper Time—Objection Overruled.

Cork Park, October 28, 1890.—Irish Plate, won by Maddenstown. An objection to the winner on the ground that the declaration of overweight was not made by the proper time, was overruled. The decision was confirmed on appeal.

No. 64—Winner Struck Out of Engagement—Disqualified.

Warwick, Eng., September 17, 1901.—Emscote. Two-year-olds and upward. Mr. Newton's Friary Court, first; Mr. Cunliffe's White Lily, second; Mr. J. R. Keene's Slipper disqualified.

Slipper finished first. On the day after the race, the owner of Friary Court lodged an objection to Slipper on the ground that she was not qualified, having been struck out of all engagements previous to the race. The stewards disqualified Slipper and awarded the race to Friary Court.

No. 65—Winner Disqualified for Jostling, Another Race Being Run During the Interval.

At Doncaster September Meeting, 1899, objections being made to Argyle, winner of the Badminton Handicap for swerving into Vagabond, the stewards, Admiral Rous and Mr. M. H. Lowther, heard the case after the running of the race following the race for the Badminton Handicap and disqualified the winner.

No. 66—Placing Judge's Decision Reversed at Suggestion of Stewards.

Washington, D. C., December 3, 1903.—In the fifth race of the day the judges placed Bill Curtis second and Magic Flute third. The judges, however, upon receiving word from the stewards that in their opinion Magic Flute had finished second, construed it as an order from the stewards, and placed Magic Flute second.

No. 67—Placing Judge's Decision Reversed with Consent of Stewards.

Epsom, Eng., June 1, 1899.—Derby Stakes. Musjid won. In the first instance, the judge placed Ticket of Leave second; but the owner of Marston claimed second place, and the judge was afterwards convinced that he had made a mistake. The question was heard on Friday, after the race for the Oaks, when the placing of the horses was altered by authority of the stewards and the following notice was published:

"The stewards hereby declare Marstonette to be the second horse in the Derby Stakes and that Ticket of Leave was placed second by mistake."  
"Beaufort,  
"H. J. Rous,  
"A. Heathcote,  
"O. H. Carew."

"June 3, 1899."

No. 68—Decision of Judges Protested—The Stewards Deny Their Power to Reverse Decision of Judge.

Carlisle, July 3, 1888.—Cumberland Plate won by Queen's Counsel. On behalf of Sir R. Jardine (owner of Mossput, the second horse), Mr. C. J. Cunningham lodged a protest against the judge's decision, and this was submitted to the stewards, who subsequently issued the following:

"The stewards have no power to alter the decision of the judge, but after inspecting the judge's box, and observing the angle at which it is situated, they agree with the judge's decision."  
W. Parker, Chairman."

No. 69—Objection to Judge's Decision—Overruled.

Epsom, England, May 27, 1891.—After Corniche had won the Mickleham Stakes, the owner of Blakesley, the second horse, objected to the judge's decision; but the judge upheld it, and the stewards dismissed the objection.

No. 70—Horses Withdrawn—Not under Starter's Orders.

Newmarket, October 14, 1891.—Cordelier and Axion were weighted for the Autumn Handicap, but a heavy storm came on while the horses were on the way to the post, and Cordelier and Axion bolted, falling over the rails. Their numbers were withdrawn, and they were not under the starter's orders. All the jockeys except Barnet drew two pounds overweight, but were passed by order of the stewards.

No. 71—Jockey Falls After Passing Post—Does Not Weigh in—Disqualified.

Leicester, England, April 2, 1892.—In High Park Plate, the rider of Bransdale broke a stirrup leather and fell after the horse had passed the post. Being seriously injured, the rider did not weigh in. Bransdale was, therefore, disqualified, but no blame was attached to his rider.

No. 72—Disqualification—Winner in Forefeit List.

Baylye (Dublin), April 6, 1886.—Stewards' Plate won by Deepdale. Glenroy finished first, but was disqualified for being in the "Forefeit List," and the race awarded to Deepdale, which came in second.

No. 73—Objection—Distance of Race Course Measured—Race Run Over.

Northampton, England, March 30, 1887.—Great Northamptonshire Stakes won by Middlethorpe, Mid-

dlethorpe came in first, Valentine second, Postscript third, but an objection was made to the race on the ground that the proper distance had been exceeded, and as the stewards were in doubt as to whether such was the case, they ordered the course to be measured, when it was found that all the horses had run 250 yards more than the proper distance. They, therefore, ordered the race to be run over again. Five of the horses did not go to the post the second time. Middlethorpe won, Postscript second, Sandpiper third. F. Hilton rode Thorne the first time at six furlongs. The second time, G. Chalmers rode Thorne at five stone twelve pounds, claiming an apprentice allowance of five pounds.

No. 74—Handicap Weights Altered After Date of Publication.

Manchester, England, November 24, 1888.—Manchester November Handicap. Before the race Mr. Winn, the owner of Lady Roseberg, objected to his mare carrying ten pounds penalty for having won the Liverpool Cup, and the stewards decided that as the weights for the Manchester November Handicap (though announced as published earlier) had been altered after the race for the Liverpool Cup, the mare should not carry a penalty for winning that race.

No. 75—Horse Pulled Up Too Soon.

Newmarket, England, October 9, 1888.—Flying Welter Handicap. Webb, the rider of Southey was called before the stewards, who were under the impression that he had pulled up his horse before his chance of winning was hopeless. After hearing his explanation and other evidence, the stewards completely exonerated him.

No. 76—Betting Case—Horse Withdrawn After Weighing—Bets Stand.

St. Louis, Mo., June 12, 1886.—Mr. Ed. Corrigan's horse Irish Pat was entered for a race, and his jockey weighed out when his owner came to the judges and asked permission to withdraw the horse as he was suffering from colic. The horse was led before the judges, who permitted his withdrawal. The question of the bets arising the judges, after the race, decided that all bets made on Irish Pat were off, but that all bets made in the books stood.

Note.—The rules of betting then recognized by the Turf Congress read:

"Every horse that is weighed out is a starter and shall be liable for his stake. The rider of a horse is not a starter for the decision of bets until he is at the starting post, and in the hands of the starter."

Irish Pat had weighed out, but he had not gone to the post; hence he was not a starter for the decision of bets. The strangest part of it is that only a few weeks before this a similar case had occurred at Latonia. The horse, Grey Cloud, was entered for a race, his jockey had weighed out when the horse was found to be very ill and by permission of the judges he was withdrawn. The judges decided that under the rule all money bet upon him, either in pools or books, on the day of the race should be returned.

Prior to 1886 the Turf Congress rule read: "Every horse that is weighed out is a starter, and shall be liable for his whole stake."

Nothing was said about bets, but in the Latonia autumn meeting of 1885, Arctino was nominated for a race and his jockey had weighed out, but the horse was taken with colic; the judges permitted his withdrawal and decided that all money bet on the day of the race should be returned.

No. 77—Betting Case—Horse Weighed Out, but Withdrawn—Bets Stand.

Monmouth Park, July 29, 1884.—Mr. Withers' filly by Ventilatour—Nina, weighed out for a free handicap, for two-year-olds, and started from the paddock for the post, but before reaching that point she bolted, throwing her rider, and escaping, leaped the outside rails. Being somewhat scratched and bruised, she was by permission of the judges withdrawn.

The question of the disposal of bets made on the Nina filly being submitted, the judges decided they were lost.

Note.—The Rules of Betting then in use at Monmouth Park read: "When the riders of any horses brought out to run for any race, all bets respecting the starter to take their places, all bets respecting such horses shall be play or pay."

As the rider of the Nina filly had not been called upon to take his place, the decision was clearly wrong and one of the judges admitted as much shortly after.

No. 78—Wrong Course—All But One Disqualified—Horse Adjudged Winner, Although Not Placed.

Worcester, July 14, 1891.—Parkfield Selling Welter Plate. Cylindrical came in first. The owner of Catacol objected to all the other horses on the ground that they had gone the wrong course. The stewards found that only Catacol had gone the right course, and although he was not placed by the judge, awarded the race to him. An application to have the matter referred to the stewards of the Jockey Club was made by the trainer of Cylindrical, and refused. Catacol was bought in for 125 guineas.

No. 79—Horse's Number Not Hoisted with Others—Hoisted Later.

Liverpool, July 22, 1891.—Members Selling Handicap. On account of the accident to J. Osborne in the previous race, Dainty Davy's number was not hoisted at the same time as the others, but the stewards allowed it to be put up afterwards.

No. 80—Crossing—Winner Disqualified.

Derby, Eng., September 2, 1891.—For the Harrington Stakes, the Mother Superior colt finished first, beating Earl of Annandale. Both were objected to by the trainer of the third horse, on the ground of a cross. The stewards disqualified the Mother Superior colt and awarded the race to Earl of Annandale.

No. 81—Objection to Winner—Not Wearing "Blinkers" After Weighing Out with Them







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